

Law Clerk's Copy

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

JASON ERIC BENSON,
Plaintiff

v.

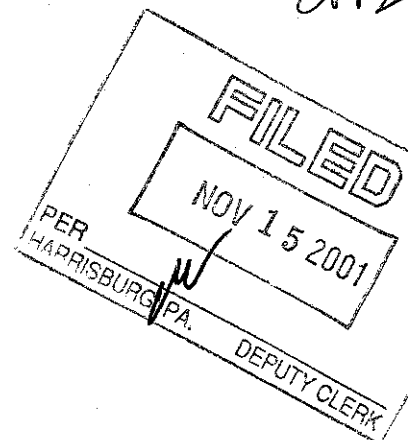
THOMAS DURAN; BRUCE CLUCK;
DEBRA HANKEY; JOHN JENNINGS;
WILLIAM ORTH; RAE HIENTZELMAN;
RONALD LONG and WILLIAM ELLIEN;
BRITON SHELTON; ADAMS COUNTY
PRISON

Defendants

CIVIL ACTION

NO. 1:00-CV-01229

JUDGE CALDWELL



AFFIDAVIT OF WILLIAM A. ORTH

1. My name is William A. Orth and I am a former Corrections Officer at the Adams County Prison.
2. On August 30, 1999, I was a Lieutenant and held a supervisory position at the Adams County Prison.
3. On August 30, 1999, sometime between 3:10 a.m. and 3:58 a.m., I was summoned by Corrections Officer Sheatler to E-Block for a disturbance involving Inmate Jason Benson.
4. Corrections Officer Sheatler told me that Inmate Benson was having some kind of problem. Benson was screaming and not responding to verbal directions. At the time, Inmate Benson appeared to be physically okay other than the fact that he was having difficulty following directions and answering questions. Approximately 20-25 minutes later, Inmate Benson appeared to be having a seizure and began to scream and suffer what appeared to be convulsions.

5. When Inmate Benson began to have what appeared to be a seizure, the Sheriff's Department was called to transport him to the hospital.

6. At approximately 5:35 a.m., Deputy Sheriff Muller arrived and transported Inmate Benson to Gettysburg Hospital where he received treatment.

7. On the morning of August 30, 1999, after Inmate Benson began to show the signs of becoming ill he was not left alone. As soon as it became apparent that Inmate Benson was having a seizure and needed medical attention, the County Sheriff's Office was called so that Benson could be transported to the hospital for care.

8. The Adams County Sherriff's Office is responsible for transporting prisoners to and from the Prison for security reasons.

9. After the Sheriff's Office was summoned, a member of the prison staff stayed with inmate Benson to make sure that he was okay. An ambulance would have been called if this had been an emergency. He did not get worse after the Sheriff's office was called. Instead, he got better and in fact, at the time Inmate Benson left the prison on August 30, 1999, to go to Gettysburg Hospital, his condition had improved and he was more responsive to questions and verbal directions.

10. Attached hereto are the official prison records documenting Inmate Benson's illness of August 30, 1999, and the prison's response to it, as well as the log documenting the time that Mr. Benson's seizure activity was noted by the prison staff.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

10/5, 2001.


William A. Orth

ADAMS COUNTY PRISON

EXTRAORDINARY OCCURRENCE REPORT

NAME BENSON, JASON ACP# 99-00740 DATE August 30 1999
 HOUSING AREA E BLOCK LOCATION OF INCIDENT E-BLOCK Cell 1
 TIME: 0310 AM

Brief Summary of Incident:

(Include Staff and Inmate Names and Number) Inmate BENSON having some kind of Difficulty -
he began screaming and appeared incoherent to verbal directions.

Action and Comments: Duty Ofc. notified Deputy Muller called for transport to ER. of
Inmate Benson committed to the hospital. At approx. 0600. 8-30-99.
The Inmate was transported to the hospital because of the frequency of
seizures and the fact that the seizures became more intense also
because the inmate was unresponsive had trouble breathing and was vomit-
some blood (whether or not the blood was from an injury to his mouth is
unknown).

Shift Commander

Signature and I.D. No.: Lt. William A. Orth #61-15 Date and Time 0736 8-30-99

Print Name William A. Orth.

Report of Incident: At the above stated time and place Inmate Benson, Jason
was found lying on the floor of his cell - he was bleeding a little from the
mouth. He appeared okay physically but had trouble following directions
and answering questions. Lt. Orth was called. Approximately 20-25 mins later
Inmate Benson, Jason - appeared to be having a seizure - again screaming
he began to bleed more from the mouth, he was difficult to wake, unrespo-
to questions and at some times actually had physical convulsions, until the
(over for continuing)

Signature Cher M. Sheather 6125 Date and Time 8/30/99 0722 AM
 Print Name Cher M. Sheather 6125

• Report of Incident (Continued):

Sheriff's Dept. Arrived to transport to the Hospital. Upon Deputy Sheriff's Muller's Arrival inmate Benson, Jason Began to throw - Up but was more responsive to verbal commands.

Shutler 6125

